

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **Charter Township of Ypsilanti v David Kircher**  
Docket No. **260969**  
L.C. No. **04-001074-CZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order being appealed is not a final order within MCR 2.604(B) and MCR 7.202(6)(a)(ii). There are two reasons why the order does not fall within MCR 2.604(B). First, this case is a nuisance action; not a receivership or similar action. It is true that one of many remedies involved an appointment of a receiver. However, that did not convert the action into a receivership or similar action. Second, for the order to be certified as a final order, the order must still dispose of a claim or a party. The order being appealed did not dispose of a claim or a party. The fact that the order could not properly be certified as a final order explains why on March 2, 2005, an order was entered that decertified the February 16, 2005 order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 11 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk